

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-cv-159-RJC
(3:06-cr-151-RJC-1)**

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| GUISEPPE PILEGGI, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |
| <hr/> |) | |

THIS MATTER is before the Court on remand from the Fourth Circuit Court of Appeals with regards to Petitioner’s Motion to Vacate, Set Aside or Correct Sentence under 28 U.S.C. § 2255. (Doc. No. 1); see (Doc. Nos. 21, 22).

The Government states in its Response in Opposition to the Motion to Vacate that “San Francisco and Desamparados are both districts within the city of San Jose, Costa Rica. Heredia is approximately six miles from San Jose, and is considered part of San Jose’s greater metropolitan area.” (Doc. No. 25 at 12 n.7). Petitioner does not appear to dispute these assertions. See (Doc. No. 29). The Government did not ask that the Court take judicial notice of these adjudicative facts. However, such geographic facts and distances are “peculiarly susceptible to judicial notice.” Pahls v. Thomas, 718 F.3d 1210, 1216 n.1 (10th Cir. 2013); see, e.g., Livingston Christian Schs. v. Genoa Charter Twshp., 858 F.3d 996, 1008 (6th Cir. 2017) (taking judicial notice of Google maps showing the distances between cities and properties).

The Court hereby provides Petitioner with notice of its intent to recognize these geographical facts pursuant to Exhibits A, B, and C to this Order. See generally Fed. R. Ev. 201.

Petitioner must notify the Court in writing of any objections to the foregoing within **14 days** of this Order.

IT IS, THEREFORE, ORDERED that:

1. The Court intends to take judicial notices of the distances set forth in Exhibits A, B, and C to this Order.
2. Petitioner must notify the Court in writing of any objections to the foregoing within **14 days** of this Order.

Signed: June 28, 2019

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

